

# Order

**Michigan Supreme Court  
Lansing, Michigan**

June 30, 2020

Bridget M. McCormack,  
Chief Justice

160171

David F. Viviano,  
Chief Justice Pro Tem

TOWNSHIP OF GRAYLING,  
Plaintiff/Third-Party  
Defendant-Appellee,

Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

v

SC: 160171  
COA: 344297  
Crawford CC: 15-009657-CH

ALAN BERRY and LOUIS SCARPINO,  
Defendants,  
and

JOHN GUTKOWSKI, JAMES BOKHART,  
ROBERT BUCHHOLZ, NANCY CHARTIER,  
and DOUGLAS ELSWORTH,  
Defendants/Third-Party  
Plaintiffs-Appellants,  
and

CAROL BUCHHOLZ, DANIEL BUJALSKI,  
RENEE BUJALSKI, BETTY BOKHART,  
KATHERINE CHESNEY, MICHELE  
GUTKOWSKI, DON HOLLIS, MATT LATUSEK,  
KATIE LATUSEK, KAREN MARTELLA,  
MICHAEL SAHR, SALLY SAHR, TIM  
SCARPINO, CHRISTINA SCARPINO, CONNIE  
STEVENS, MICHAEL STEVENS, JUDY  
MERMEESCH, PAUL WAGNER, JOANNE  
WAGNER, DAN WHITNEY, SHERRY  
WHITNEY, and MARJORIE WHITNEY,  
Third-Party Plaintiffs-Appellants,  
and

DIRECTOR OF THE DEPARTMENT OF  
ENERGY, LABOR & ECONOMIC GROWTH,  
CHAIRPERSON OF THE BOARD OF CRAWFORD  
COUNTY ROAD COMMISSION, CRAWFORD  
COUNTY DRAIN COMMISSIONER, DIRECTOR  
OF THE DEPARTMENT OF TRANSPORTATION,  
DIRECTOR OF THE DEPARTMENT OF

NATURAL RESOURCES, GREAT LAKES  
ENERGY, MICHAEL MITCHELL, and JILL  
MITCHELL,  
Third-Party Defendants-Appellees,  
and

FRONTIER COMMUNICATIONS, CHARTER  
COMMUNICATIONS, MICHAEL BUSHRE,  
KELLY BUSHRE, RAYMOND CONFER,  
WENDY CONFER, DAVID CONSTANTINE,  
DEANNA CONSTANTINE, MICHAEL KOLKA,  
HARRY & LUELLA KOLKA TRUST, CHARLES  
THIEL, and MONIQUE THIEL,  
Third-Party Defendants.

---

On order of the Court, the application for leave to appeal the July 23, 2019 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



a0622

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 30, 2020

Clerk